

HISTORIC PRESERVATION

SUPPLEMENTAL FORM

DEMOLITION OR ALTERATION OF PROPERTY OR DISTRICT ON LOCAL REGISTER OF HISTORIC PLACES

ALTERATION

DEMOLITION

I. GENERAL

Please describe below the proposed alteration, or reason for demolition use additional sheets as necessary: _____

II. ALTERATION

Step 1: Authority for Approval

The Historic Preservation Commission has the authority to approve, approve with conditions, or deny the alteration of a structure on a property listed on the Local Register of Historic Places. The Commission has adopted the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" (Revised, 1990) as guidelines for alterations and review of alteration applications. Except to the extent that the guidelines provide differently, a proposed alteration will be considered in light of its effect on the existing character of the affected structure as it relates to the streetscape.

The Historic Preservation Commission, has, as much as possible, streamlined the application and approval process for alteration requests by empowering the Community Development Department with the authority to review and approve most applications for alterations in conjunction with the building permit or design review process. The Community Development Department's authority to review and approve alterations is limited to "one-for-one" replacements, and to alterations that will clearly not impact the integrity, unique quality or historic value of the structure.

An application for alteration that cannot be reviewed and approved by the Community Development Department will be forwarded to the Historic Preservation Commission for review and approval, approval with conditions, or denial.

Step 2: Application

All applications for alteration, except “one-for-one” replacements, must be accompanied by architectural elevations of the existing structure and the proposed alteration. And, the application must include information regarding the type, kind and materials to be used.

III. DEMOLITION

Part 1: Findings

The Historic Preservation Commission may approve a request for demolition of a structure on a property listed on the Local Register of Historic Places, if the Commission can make one of the findings below. Please provide sufficient information or documentation to support one of the following findings:

- a. The property is unsafe or a hazard to the public as a result of an unforeseen event such as a fire or earthquake; or
- b. Taking into account the potential value to the owner of the property of all available City and other accommodations and incentives (including without limitation, transferable development rights, zoning ordinance modifications, alternative building code standards or provisions, loans, grants, reimbursements and tax reductions) either:
 - i. The current or most recent use of the property is not permitted under the current planed code (except as a nonconforming use) and adaptive reuse is not economically feasible; or
 - ii. The adverse impact on the owner of the property is unreasonably large in comparison to the public benefit from denying demolition; or
 - iii. Denying permission to demolish would result in a taking or would violate state or federal law; or
- c. Demolition must be allowed pursuant to the State Housing Law (Health and Safety Code Section 17900 et. seq.) or other applicable state or federal law.

Part 2: Conditions

The Historic Preservation Commission may impose conditions upon an approved demolition to the extent authorized by applicable law, including the following:

- a. Documentation may be required of any structure to be demolished and/or for the property.

- b. Historic Preservation review and Historic Preservation Commission approval may be required for any subsequent development at the property.
- c. Demolition may be delayed for up to ninety days to allow time to identify a prospective buyer for the property, to identify a third party interested in relocating the affected structure or to allow the City to determine whether to begin eminent domain procedures, and for up to an additional 90 days to allow completion of the purchase or relocation or commencement of a judicial condemnation action if, within the initial 90 days a buyer or third party is identified or the City determines to begin eminent domain procedures. In the case of purchase or relocation by a third party, demolition may be denied where a third party willing and able to purchase the property or relocate the structure within the time established by the Historic Preservation Ordinance is identified and makes a bona fide offer to purchase the property or structure at fair market value, as determined by appraisal.
- d. Design Review may be required for future development.

Part 3: Demolition on a District Property

With respect to demolition of a structure on a district property, the Historic Preservation Commission will take into account the importance of an affected structure to the integrity of the district, and may:

- a. Limit the size of new development to that of the existing structure; and/or
- b. Require that the scale of new development be harmonious with other structures which contribute to the district's character; and/or
- c. Require retention or reconstruction of one or more facades; and/or
- d. Require that any replacement structure be of like kind or quality to the demolished structure and contribute to the integrity of the preservation district.
- e. Design Review may be required for future development.